

EXHIBIT

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LANSING POLICE DEPARTMENT DISCIPLINARY CHARGE SHEET			Internal Affairs Complaint Number: IA16-0018
Name of Charged Officer: Charles Z Funk	Rank Sergeant	Badge # 370	Unit Uniform Patrol
Name of Charging Person: Jim Kraus	Rank Captain	Badge # 376	Unit Uniform Patrol
Date & Time of Offense: March 15, 2016 06:50	Location of Offense: 120 Michigan Avenue West Lansing MI 48933		

VIOLATION SUMMARY AND SPECIFIC RULE, REGULATION, PROCEDURE, DIRECTIVE, AND/OR ORDER VIOLATED INCLUDING TITLE AND NUMERICAL REFERENCE**1.52-CONDUCT OF SUPERVISORS: SUSTAINED**

A. Supervisors must set a high standard for leading those for whom they have responsibility. Therefore, supervisors should not engage in the following:

1. Failure to effectively supervise a precinct, unit, squad, etc.
2. Knowingly or intentionally violating union contracts or Equal Employment Opportunity rules or engaging in inappropriate actions, comments, gestures, etc., that violate the standards of an equal employment opportunity, harassment-free, inclusive organization.
3. Abusive or derogatory language when addressing a subordinate.
4. Failure to accept and record all complaints.

1.01 VIOLATION OF RULES: SUSTAINED

Employees shall not commit or omit any acts which they know or should know would constitute a violation of any rules, regulations, procedures, directives, or orders of the Department.

1.38-USE OF DEPARTMENT EQUIPMENT: SUSTAINED

Employees shall utilize Department equipment only for its intended purpose and in accordance with established Departmental procedures and training, and shall not abuse, or negligently damage or lose Department equipment. Use of all Department equipment, materials, supplies, or property not specifically assigned to an individual employee or vehicle requires supervisory authorization from the employee's supervisor as well as the unit/division/supervisor the items are assigned to, absent extenuating circumstances. All Department equipment issued to employees shall be maintained in proper order. Employees shall report to their supervisor any defect or hazardous condition in Departmental equipment.

SUMMARY:

This investigation revealed Sgt. Funks' firearm was found unsecured on 03/15/2016 by Sgt. Diehl. Even though it was in a lock box cubby in the Sergeants Office in the jail, this office is accessible to anyone with access to the jail including civilian staff. Sgt. Funk did not have his firearm secured so that it was accessible only to him and the weapon and key were unaccounted for, for a two day period. Funk failed to notify anyone regarding this. This is violation of LPD Rule 1.38 Use of Department Equipment.

Further, Sgt. Funk is in direct violation of LPD Rule 1.01 Violation of Rules. LPD Policy 600-6 Firearms specifies that a department issued gun will be carried with a round in the chamber while on duty. A sworn employee assigned to detention should be armed and utilizing the provided lockboxes to secure weapons as needed based on specific and current tasks he or she is working on the Detention Sergeant capacity. Furthermore, Sgt. Funk indicated in his interview that he does not regularly bring his firearm to work.

Lastly, the investigation reveal Sgt. Funk also violated LPD Rule 1.52 Conduct of Supervisors. Sgt. Funk's failure to understand his responsibilities as a Detention Sergeant of the Lansing Police Department. Sgt. Funk is an 18 year employee with three years of service in the LPD Lockup. Sgt. Funk, along with all Detention Sergeants, was issued a Memorandum on 11-6-14 by Capt. Daryl Green stating, "Effective immediately all Detention Sergeants will remain on Police Headquarters/City Hall property throughout their shifts; unless an evacuation per LPD Policy 600-11 (City Hall/Police Headquarters Evacuation) or after obtaining expressed permission to leave..." Sgt. Funk has concluded as a result of this and a casual conversation with another sergeant, that he has no obligation to

respond to an incident within the building he works as a Police Officer of the City of Lansing. If an active shooter incident broke out or and escape prisoner situation occurred Sgt. Funk indicated he would "want" to have his firearm but is going off the basis he cannot have a firearm in the jail. In the interview, Sgt. Funk mentioned that an armed prisoner could potentially be brought into the jail, pull a gun out of their behind and he would just be screwed because he is not allowed to have his firearm. Sgt. Funk stated on two occasions during the interview that he usually does not have his duty firearm at work and he did not bring it with him on this date either.

Lansing Police Officers; including all command positions have been sworn in and taken an oath to protect and serve for this Department and the community. For a supervisor to respond to work without their firearm and with the staunch belief that their firearm is not required or needed is a significant failure of a LPD Supervisor to effectively supervise a precinct, section, unit, squad, as appropriate.

THIS DISCIPLINARY SANCTION IS BASED ON THE NATURE OF THE OFFENSE COMMITTED, THE CIRCUMSTANCES UNDER WHICH AND THE MANNER IN WHICH IT WAS COMMITTED, AND THE EMPLOYEE'S RECORD DURING THE IMMEDIATELY PRECEDING TWO (2) YEARS.

RECOMMENDED DISCIPLINARY SANCTION		DATE	SIGNATURE
<i>Written Reprimand</i>		<i>5-9-16</i>	<i>[Signature]</i>
REVIEWED BY	WITH THE ACTION TAKEN BY THE SUBORDINATE OFFICER		
	<i>I concur</i>	<i>I DO NOT CONCUR (see report)</i>	
PREDETERMINATION CONFERENCE-LIST ALL PERSONS PRESENT: <input type="checkbox"/> CHECK IF TAPE RECORDED			DATE: SIGNATURE:
FINAL DISCIPLINARY SANCTION DETERMINED BY THE CHIEF OF POLICE OR HIS/HER DESIGNEE: <i>Reprimand</i>			DATE: SIGNATURE: <i>5/16/16</i> <i>[Signature] 376</i>
DATE NOTIFIED: <i>5/16/16</i>	I ACKNOWLEDGE I HAVE RECEIVED NOTIFICATION OF THE DISCIPLINARY SANCTION. SIGNATURE OF CHARGED OFFICER: <i>[Signature]</i>		
TIME NOTIFIED: <i>5-16-16</i>	SIGNATURE OF NOTIFYING OFFICER: <i>Officer M #322</i>		
FOR INTERNAL AFFAIRS USE ONLY:			